

CITY COUNCIL  
CITY OF WICHITA

K A N S A S

City Council Meeting-Workshop  
9:30 A.M., January 24, 2006

First Floor Board Room  
455 North Main

ORDER OF BUSINESS

- Call to Order
- Approve the minutes of the January 10, 2006 meeting

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CONSENT AGENDA

1. Report of the Board of Bids and Contracts Dated January 23, 2006.

RECOMMENDED ACTION: Receive and file report; approve Contracts;  
authorize necessary signatures.

2. Application for Licenses.

Escort Service.

Renewal

2006

Saundra Jean Lacy

Jessie's Primetime Entertainment

304 South Laura

RECOMMENDED ACTION: Approve licenses subject to Staff review  
and approval.

3. Applications for Licenses to Retail Cereal Malt Beverages:

Renewal

2006

(Consumption off Premises)

Mike Hoffman

Kwik Shop 749

2142 North Webb Road

\*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review  
and approval.

4. Preliminary Estimates:

- a) 2005 Sanitary Sewer Reconstruction Phase 13, north of Harry, between Hillside & 143rd Street East. (468-84137/620449/665568) Traffic to be maintained during construction using flagpersons and barricades. (Districts II, III) - \$150,000
- b) Lateral 11, Main 2, Cowskin Interceptor Sewer to serve Auburn Hills 16th Addition, (south of Maple, east of 151st Street West) (468-84089/744154/480842) Does not affect existing traffic. (District V) - \$231,000
- c) 29th Street Water Line, Maize to 119th (448-89798/633761/633762/753850/753904) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$596,000
- d) Lateral 5, Main 10 Four Mile Creek Sewer to serve Dillon's 12th Addition - north of 13th Street North, east of Greenwich. (468-84124/744161/480849) Does not affect existing traffic. (District II) - \$105,000
- e) Storm Water Drain #236 to serve Fontana & Fontana 2nd Additions - north of 29th Street North, east of 119th Street West. (468-83883/751411/485302) Does not affect existing traffic. (District V) - \$678,408
- f) Water Distribution System to serve Krug North Addition - north of 21st Street North, west of 143rd Street East. (448-90095/735282/470953) Does not affect existing traffic. (District II) - \$140,000
- g) Water Line Connection to serve Legacy & Brighton Court Additions - south of 21st Street North, west of Webb (448-90131/635667/765720) Does not affect existing traffic. (District II) - \$40,000
- h) Jardine Drive to serve 21st Street Kids & Family Empowerment Addition - north of 21st Street North, east of Hydraulic (472-84282/706930/205396) Does not affect existing traffic. (District I) - \$743,200

5. Petition for Public Improvements:

- a) Construct Paving, Sanitary Sewer, Drainage and Water Improvements in Whispering Lakes Estates Addition, south of Harry, west of 159<sup>th</sup> Street East. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

6. Deeds and Easements:

- a) Sanitary Sewer Easement dated December 16, 2005 from David L. Funston over a tract of land lying over a portion of the E 1/2 of the N 1/2 of the SE 1/4 of Section 34, T27S, R2E, of the 6th P.M., Sedgwick County, Kansas, (OCA# 607861). No Cost to City.
- b) Utility Easement dated December 27th, 2005 from New Market Square, LTD over a tract of land lying in Block 2, Newmarket Square Phase II, an Addition to the City of Wichita, Sedgwick County, Kansas, (OCA# 607861). No Cost to City.
- c) Drainage and Utility Easement dated November 29th, 2005 from Kansas Bait & Tackle, LLC, a Kansas limited liability Company over a tract of land lying in Lot 6, Block 1, North Ridge Village Addition, an Addition to the City of Wichita, Sedgwick County, Kansas, (OCA# 607861). No Cost to City.
- d) Drainage and Utility Easement dated November 10th, 2005 from Kansas Bait & Tackle, LLC, a Kansas limited liability Company over tracts of land lying in Lots 5 & 6, Block 1, North Ridge Village Addition, an Addition to the City of Wichita, Sedgwick County, Kansas, (OCA# 607861). No Cost to City

(Item 6 continued)

- e) Utility Easement dated November 28, 2005 by International Trading Inc. over a tract of land lying within portions of Lots 31, 32, and 33, Block 4, Woodland Lakes Estates Third Addition, an Addition to the City of Wichita, Sedgwick County, Kansas, (OCA# 607861). No Cost to City.
- f) Public Utility Easement dated November 22, 2005 from Groendyke Transport, Inc. over a tract of land lying in Lot 1, Block 2, Bridgeport 3rd Industrial Addition, an Addition to the City of Wichita, Sedgwick County, Kansas, (OCA# 607861). No Cost to City.
- g) Public Utility Easement dated November 22, 2005 from Galichia Enterprises, Inc. over a tract of land with a centerline on Lot 1, Block 1, Hinkle's Addition, Sedgwick County, Kansas, and (OCA # 607861). No Cost to City.
- h) Utility Easement dated November 14, 2005 from Lakepoint Master Association, and Richard D. Smith over a tract of land lying within a portion of Lot 4, Block 1, and a portion of Reserve "F", Autumn Chase Addition, an Addition to the City of Wichita, Sedgwick County, Kansas, (OCA# 607861). No Cost to City.
- i) Utility Easement dated November 14th, 2005 from Greenwich 13, LLC, over a tract of land lying in the Southeast Quarter of Section 9, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, (OCA# 744161). No Cost to City
- j) Sanitary Sewer Easement dated December 16th, 2005 from Malone Construction, LLC over a tract of land lying in Lot 7, Block E, Rivendale Addition, an Addition to the City of Wichita, Sedgwick County, Kansas (OCA# 620449). No Cost to City.
- k) Utility Easement dated November 8, 2005 from Dillion Real Estate Co., Inc. over a tract of land lying in Lot 2, Block 1, Dillion 12th Addition to Sedgwick County, Kansas (OCA# 744161). No Cost to City.
- l) Utility Easement dated December 12, 2005 from HLK, LLC, a Kansas limited liability company and SRB Kansas, LLC, a Kansas limited liability company, over a portion of Lot 1, Block A, K & B Addition, Wichita, Sedgwick County, Kansas (OCA# 633746). No Cost to City.

RECOMMENDED ACTION: Accept documents.

7. Consideration of Street Closures/Uses.

- Lewis Street between Main and Wichita. (District I)

RECOMMENDED ACTION: Approve street closures/uses.

8. Report on Claims Allowed for December 2005:

<u>Name of Claimant</u>	<u>Amount</u>
All Seasons Construction, Inc.	\$188.45
Brandwyne, Rebecca	\$52.80
Cavanaugh, Daniel	\$127.69
Endicott, William	\$927.79
Kansas Gas Service	\$400.02**
Newton, Roger	\$93.19
Thiele, Robert	\$32.14
Tompkins, Tyson	\$1,985.15

\*\* Settled for lesser amount than claimed.

RECOMMENDED ACTION: Receive and file.

9. Agreements/Contracts:

- a) North Area Sanitary Sewer-Supplemental Agreement No. 2. (District VI)
- b) Selection of Consulting Firm, International Trade Processing Center Study.
- c) Brooks Landfill Air Pump Project Amendment No. 2 with Camp Dresser and McKee. (District VI)
- d) Agreement for 13<sup>th</sup> Street North from K-96 Bypass to 159<sup>th</sup> Street East. (District II)
- e) SRS Electronic Payments for Park Recreation Centers.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

10. Design Service Agreements:

- a) Douglas from McComas to Flora. (Districts IV and VI)
- b) Casa Bella Addition, north of Pawnee, west of 127<sup>th</sup> Street East. (District II)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

11. Property Acquisitions:

- a) Utility Easement for the North Area Sewer Project. (District V)
- b) Utility Easement for the North Area Sewer Project at 2107 North 135<sup>th</sup> Street West. (District V)
- c) Pipeline Easements and Temporary Easement for Integrated Local Water Supply Plan.
- d) A portion of 7700 East Kellogg for the East Kellogg Improvement Project. (District II)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

12. Contract for Outside Legal Services-Genesis Health Club, Inc. et al v. City of Wichita, Case No. 05-CV 3410.

RECOMMENDED ACTION: Approve the amendment to the contract increasing the maximum amount of fees and expenses that may be paid thereunder to \$74,000 and authorize the Mayor to sign.

13. Conveyance of Equipment, Cessna Aircraft Company. (Districts III and IV)

RECOMMENDED ACTION: Adopt the Resolution waiving the notice provisions of the Lease, and authorizing Supplemental Indenture the Bill of Sale and execution and delivery of a partial release of 14<sup>th</sup> Supplemental Lease and for the purpose of releasing the Tooling from the Lease and Indenture and authorizing the necessary signatures.

14. Contract with HUMATEC.

RECOMMENDED ACTION: Approve the amendment to the agreement between the City and NS Ventures, Ltd. D/b/a Humatec to authorize payment of an additional sum of \$60,000 for the provision of additional consulting services in 2006, together with any necessary fund transfers and authorize the Mayor to execute the contract.

15. 2006-2007 City Council Goals.

RECOMMENDED ACTION: Approve the 2006-2007 goals.

16. Proposed 2006 Contracted Street Maintenance Program.

RECOMMENDED ACTION: Approve the programs.

17. G.R.E.A.T. (Gang Resistance Education and Training) Grant.

RECOMMENDED ACTION: Approve the grant application and authorize the Necessary signatures.

18. Review of Land Use Proposals for Urban Renewal Property on the East and West Bank of the River.

RECOMMENDED ACTION: Authorize the City Manager to notify each participant in the land use redevelopment proposal process for the urban renewal property on the east bank of the river that all proposals have been deferred until further notice and authorize the City Manager to begin preliminary discussions with the proposer of the west bank redevelopment proposal.

18a. Regional Economic Area Planning. (REAP) Membership Dues.

RECOMMENDED ACTION: Approve the payment of membership dues to REAP.

19. Second Reading Ordinances: (First read January 10, 2006).

a) Sidewalk Repair and Sidewalk Cleaning Assessment Program. (Districts I, II, III, IV, V)

1. An Ordinance making a special assessment to pay for the improvement of and providing a tax levy for the cost of construction of sidewalks repair in the City of Wichita, Kansas.
2. An Ordinance making a special assessment to pay for the improvement of and providing a tax levy for the cost of sidewalk cleaning in the City of Wichita, Kansas.

b) 29th Street North Improvement, from Tyler to Ridge. (District V)

An Ordinance amending Ordinance No. 46-121 of the City of Wichita, Kansas declaring 29th St. North, between Tyler and Ridge (472-83903) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same.

c) Pawnee Improvement, between 119th Street West and Maize. (District IV)

An Ordinance declaring Pawnee between 119th Street West and Maize (472-84357) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same.

(Item 19d.)

d) Pawnee Improvement between Meridian and Seneca. (District IV)

**\*\*ITEM NOT READY FOR SECOND READING, DEFERRED AT THE JANUARY 10, 2006 MEETING\*\***

(Item 19 continued)

e) Amendment to SBA Microloan Agreement.

An Ordinance of the City of Wichita, Kansas (the "City"), authorizing the execution of a contract amendment to the SBA Microloan Agreement between the City of Wichita and South Central Kansas Economic Development District, Inc.

f) DR2005-15-Request for a Street Name Change from 31st Street North to Toben, located on the west side of Webb Road and south of 37th Street North. (District II)

An Ordinance changing a street name from 31<sup>st</sup> Street North to Toben.

g) DR2005-00023-Zone Change from Limited Industrial to Central Business District. Generally located between St. Francis Avenue, William Street, BNSF railroad right-of-way, one-half block east of Commerce Street and Kellogg. (District I)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.21. (DR2005-00023)

h) DR2005-00024-Zone Change - generally bounded by a line beginning at the intersection of Washington Avenue and Second Street North, thence east along Second Street North to I-135, thence south along the west right of way to the southern boundary of the Kansas Food Bank Warehouse Addition, thence west on said boundary to Minneapolis Street, thence north to an east/west alley, thence west along said alley to Kansas Avenue, thence south to an east/west alley, thence west to Hydraulic, thence south along Hydraulic Avenue to Waterman Street, thence west along Waterman to the BNSF railroad right-of-way, thence north to Douglas Avenue, thence east to Washington Avenue, and thence north to the point of beginning. (District I)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.21. (DR2005-00024)

i) DR2005-00033-Zone Change - area beginning at the intersection of Waterman Street and Washington Avenue, thence south on Washington Avenue to Kellogg, thence west on Kellogg approximately 750 feet to the boundary of the BNSF railroad right-of-way/terminal, thence north to Waterman Street, and thence east to Washington Avenue. (District I)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.21. (DR2005-00033)

j) A06-01R-generally located southwest of the intersection of 29th Street North and West Street. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas. (A06-01)

(Item 19 continued)

- k) A06-02R-generally located to the south of 29th Street North, between Greenwich Road and 127th Street East. (District II)

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas. (A06-02)

RECOMMENDED ACTION: Adopt the Ordinances.

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### PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

\* Consent Items

20. \*DED2005-30-Dedication of a utility easement, located east of Hood and south of 29<sup>th</sup> Street North. (District VI)

RECOMMENDED ACTION: Accept the Dedication.

21. \*DED2005-31-Dedication of a sidewalk and utility easement for property located east of Hood and south of 29<sup>th</sup> Street North. (District VI)

RECOMMENDED ACTION: Accept the Dedication.

22. \*DED2005-32-Dedication of Access Control for property located west of Maize Road and on the south side of 21<sup>st</sup> Street North. (District V)

RECOMMENDED ACTION: Accept the Dedication.

23. \*DED2005-33-Contingent Dedication of Street Right-of-Way and DED 2005-34-Dedication of a Utility Easement, located east of Seneca and north of 31<sup>st</sup> Street South. (District IV)

RECOMMENDED ACTION: Accept the Dedications.

24. \*DED2005-35-Dedication of Street Right-of-Way; DED2005-36-Dedication of Access Control; DED2005-37-Dedication of Access Control and DED2005-38-Dedication of Street Right-of-Way, for property located south of Pawnee and west of Meridian. (District IV)

RECOMMENDED ACTION: Accept the Dedications.



25. \*SUB2004-123-Plat of Koker Addition, located north of Central and on the west side of 119<sup>th</sup> Street West.  
(District V)

RECOMMENDED ACTION: Approve the documents and plat and authorize the necessary signatures.

26. \*SUB2004-131-Plat of Wilson Meadow Addition, located south of 53<sup>rd</sup> Street North and east of Seneca.  
(District VI)

RECOMMENDED ACTION: Approve the document and plat; authorize the necessary signatures and adopt the resolution.

27. \*SUB2005-109-Plat of Emerald Bay Estates Addition, located on the west side of West Street and north of 21<sup>st</sup> Street North. (District V)

RECOMMENDED ACTION: Approve the documents and plat; authorize the necessary signatures and adopt the resolutions.

28. \*VAC2005-00038-Request to vacate a platted access control and a portion of the platted setback, generally located on the northeast corner of the 13<sup>th</sup> Street North and Greenwich Road intersection. (District II)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

29. \*VAC2005-00043-Request to vacate a platted utility easement, generally located west of Yosemite Court-Yosemite Street intersection, on the north side of Yosemite Street. (District IV)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

30. \*VAC2005-00047-Request to vacate a portion of a platted setback located on the southwest corner of Harry Street and Lockmoor Street, east of Webb Road. (District II)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

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AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

\*Consent items

31. \*Airport Improvement Program Land Acquisition, 4444 North Webb Road, Colonel James Jabara Airport.

RECOMMENDED ACTION: Approve the grant application and receipt of funds and authorize the necessary signatures once FAA approval and funding is established.

32. \*Taxiway "H" Site Development, Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the contract; adopt the resolution; approve the capital budget and authorize the necessary signatures.

33. \*Purchase of Airfield Sweeper, Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the capital project budget and authorize staff to solicit bids.

34. \*Assignment of Leases and Consent to Assignment and Estoppel Certificate, Wichita Airport Facilities, Inc. to Koch Business Holdings, L.L.C. Hangar, Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the Assignment of Leases and Consent to Assignment and Estoppel Certificate and authorize the necessary signatures.

35. \*Sublease Agreements between Wichita Airport Facilities, Inc. and Eaglejet Aviation for use of Hangars 17, 19 & 28, Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the Sublease Agreement for Hangars 17 & 19 and the Sublease Agreement for Hangar 28 and authorize the necessary signatures.

36. \*Contract for outside legal services-Delta Airlines complaint with FAA regarding Airtran Airlines.

RECOMMENDED ACTION: Authorize the Mayor to execute the amendment to the contract on behalf of the Wichita Airport Authority increasing the maximum amount of fees and expenses that may be expended under the agreement with Edwards, Angell, Palmer & Dodge to \$99,000.

37. \*Acquisition of 1504 South Ridge Road for Wichita Mid-Continent Airport.

RECOMMENDED ACTION: 1) Approve the budget; 2) adopt the resolution;  
3) approve the Real Estate Contract and 4) authorize  
the necessary signatures.

38. \*Raytheon Aircraft Services-Supplemental Agreement No. 4.

RECOMMENDED ACTION: Approve the Supplemental Agreement No. 4 and  
authorize the necessary signatures.

Adjournment

\*\*\*Workshop to follow\*\*\*